

### REMARKS

The Board of Patent Appeals and Interferences (BPAI) issued a decision sustaining the Examiner in part and reversing the Examiner in part. In particular, the BPAI reversed the Examiner with respect to dependent claims 4, 20, and 31.

In response, the Examiner issued an action under MPEP § 1214.06 mailed December 9, 2008, requiring Applicant to submit the allowed dependent claims in independent form.

Applicant has rewritten claims 4, 20, and 31 in independent form. All other claims are cancelled. Applicant submits that claims 4, 20, and 31 are allowable.

### **Conclusion**

By responding in the foregoing remarks only to particular positions taken by the Examiner, Applicant does not acquiesce with other positions that have not been explicitly addressed. Applicant's decision to amend or cancel any claim should not be understood as implying that Applicant agrees with any positions taken by the Examiner with respect to that claim or other claims.

Please apply any credits or charges to Deposit Account No. 06-1050.

Respectfully submitted,

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